

IC 13-22-11

Chapter 11. Hazardous Waste Reduction

IC 13-22-11-1

Information gathering and dissemination

Sec. 1. (a) The office shall do the following:

(1) Continuously gather information on secondary material utilization or waste reduction practices and technology from sources within and outside Indiana.

(2) Provide information and advice on secondary material utilization or waste reduction in response to a request from a business or business organization that is active in Indiana.

(b) In the absence of a request, the office may, at the direction of the commissioner, present advice on secondary material utilization or waste reduction to a business that:

(1) is active in Indiana; and

(2) in the judgment of the commissioner, could:

(A) significantly reduce;

(B) eliminate; or

(C) avoid;

the generation and disposal of hazardous waste through waste reduction or secondary material utilization under IC 13-22-11.5.

The office shall study the information to be presented with advice under this subsection.

As added by P.L.1-1996, SEC.12. Amended by P.L.45-1997, SEC.20; P.L.128-1997, SEC.7.

IC 13-22-11-2

Advice; priorities

Sec. 2. In directing the office to present advice to businesses under section 1(b) of this chapter, the commissioner shall establish a priority among types of businesses according to the following:

(1) The degree or magnitude of waste reduction that could be achieved by a type of business, in comparison to the waste reduction that could be achieved by other businesses.

(2) The financial and technical feasibility of the waste reduction practices and technologies available to various types of businesses.

(3) The statewide waste reduction impact likely to be achieved through presenting advice to a type of business due to the prevalence of that type of business in Indiana.

(4) Any other factors that, in the judgment of the commissioner, may affect the overall effectiveness of the office in promoting waste reduction in Indiana.

As added by P.L.1-1996, SEC.12.

IC 13-22-11-3

Reports under Federal Resource Conservation and Recovery Act

Sec. 3. A person who submits a report to the department under 42 U.S.C. 6922(a)(6) may include with the report the information listed

under section 4 of this chapter.

As added by P.L.1-1996, SEC.12. Amended by P.L.122-1996, SEC.4.

IC 13-22-11-4

Contents of report; confidentiality for trade secrets

Sec. 4. (a) The following information may be included with the report under section 3 of this chapter for the period covered by the report:

(1) A description of the industrial operation that generated the hazardous waste, including information on the following:

(A) The steps taken in the operation.

(B) The machinery and materials used in the operation.

(C) The inputs and outputs of the operation.

(2) Proposals that would implement waste reduction in the type of industrial operation that generated the hazardous waste.

(3) A statement that the information is accurate to the best of the generator's knowledge.

(4) Any other information the generator desires to provide to the department to obtain voluntary technical assistance from the department.

(b) A person who:

(1) submits information to the department under subsection (a); and

(2) believes that the information or a part of the information is a trade secret or otherwise warrants confidential treatment;

may submit the information under a claim of confidentiality in accordance with IC 13-14-11 and IC 5-14-3-4.

(c) A person who submits information under subsection (a) that is determined to be confidential may not unreasonably withhold permission from the department to disclose to the public general or generic information on waste reduction techniques derived from the submitted information if the disclosure will not divulge:

(1) the trade secret; or

(2) other specific, substantive basis of confidentiality.

As added by P.L.1-1996, SEC.12. Amended by P.L.122-1996, SEC.5.